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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRIAN DEMPSEY, on behalf of himself
and all other similarly situated individuals,

Plaintiff,

vs.

SMITH’S FOOD & DRUG CENTERS,
INC., and DOES 1 through 50, inclusive,
Defendants.

Case No. 3:24-cv-00269-ART-CSD

ORDER APPROVING
JOINT NOTICE OF SETTLEMENT

Plaintiff, Brian Dempsey (“Plaintiff”) individually and on behalf of all others similarly situated and Defendant Smith’s Food & Drug Centers, Inc. (collectively “The Parties”), by and through their respective counsel of record, hereby notify this Honorable Court that the Parties have reached a proposed resolution to resolve all claims in this matter.

After engaging in serious arms-length negotiations, the Parties were able to reach an agreement to resolve this action. Accordingly, the Parties respectfully request sixty (60) days to

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1 prepare and finalize the proposed settlement agreement and preliminary approval motion.

2 Respectfully submitted,

3 Dated: May 16, 2025

Dated: May 16, 2025

4 **THIERMAN BUCK**

COZEN O'CONNOR

5 /s/Leah L. Jones

By: /s/ Jacob M. Rubenstein

6 Joshua D. Buck, Nev. Bar No. 12187

Jacob M. Rubinstein, *Admitted Pro Hac Vice*

7 Leah L. Jones, Nev. Bar No. 13161

Aaron Holt, *Admitted Pro Hac Vice*

8 325 W. Liberty St.

Jonathan A. Rich

9 Reno, Nevada 89501

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1180 North Town Center Drive, Suite 260

10 *Attorneys for Plaintiff*

Las Vegas, NV 89144

11 *and all others similarly situated*

Telephone: (702) 470-2330

Attorneys for Defendant

Smith's Food & Drug Centers, Inc

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16 **ORDER**

17 Pursuant to the foregoing joint notice by counsel for the Parties and good cause
18 appearing, IT IS HEREBY ORDERED that:

- 19
20 (1) The Parties shall file the proposed Settlement Agreement and Preliminary Approval
21 Motion sixty (60) days from the date of this Order.

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23
24 Dated: May 16, 2025



Anne R. Traum

United States District Court Judge